



State of California  
**Respiratory Care Board**  
444 North 3rd Street, Suite 270  
Sacramento, CA 95814  
Telephone (916) 323-9983  
Fax (916) 323-9999  
[www.rcb.ca.gov](http://www.rcb.ca.gov)



August 1, 2000

**Inquiry:** Can a RCP dispense CPAP/Bi-PAP equipment with the document attached acting as the Rx?

**Response:** The dispensing of CPAP/Bi-PAP equipment, the provision of Section 3703(b) of the Respiratory Care Practice Act are relevant to your inquiry. This provision states:

"The practice of respiratory care shall be performed under the supervision of a medical director in accordance with a prescription of a physician and surgeon or pursuant to respiratory care protocols as specified in Section 3702."

Further, the format of the prescription is not the relevant consideration. The relevant consideration is whether the prescription is from a physician and surgeon. The only document that is recognized as a prescription from a physician and surgeon is an actual written and signed prescription from a physician and surgeon.

Reference # 2000-C-31